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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

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|---------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA, | : | 2:07CR00801 TS |
| | : | |
| Plaintiff, | : | POSITION OF THE UNITED STATES |
| | : | WITH RESPECT TO SENTENCING |
| vs. | : | FACTORS |
| | : | U.S.S.G. § 6A1.2, DUCrimR 32-1 |
| MARCELO DELMAS, | : | |
| | : | |
| Defendant. | : | Judge Ted Stewart |

The United States of America, by and through the undersigned Assistant United States Attorney, and pursuant to Rule DUCrimR 32-1(b), Rules of Practice of the United States District Court for the District of Utah, states that after reviewing the Presentence Report prepared by the U.S. Probation Office in connection with the sentencing of the above-named defendant, that it is

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unaware of any matters disputed between the government and the defendant with respect to such report. The United States has no objection to the Presentence Report.

DATED this 30th day of July, 2008.

BRETT L. TOLMAN
United States Attorney

/S/ Karin M. Fojtik

KARIN M. FOJTIK
Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of the United States Attorney's Office, and that a copy of the foregoing Position of the United States with Respect to Sentencing Factors was mailed postage prepaid, delivered through interoffice mail or electronically filed to all parties named below, this 30th day of July, 2008.

L. Clark Donaldson
46 West Broadway, Suite 110
Salt Lake City, UT 84101

U.S. Probation Officer
Valli M. Kelly

/S/ Julie Watters

Legal Assistant